

PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/970,122
Filing Date	October 2, 2001
First Named Inventor	Chou, Hou-Pu
Art Unit	1753
Examiner Name	Arun S. Phasge
Attorney Docket Number	20174C-002510US

**ENCLOSURES (Check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Statement Under 37 CFR 3.73(b)<br><input checked="" type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Response Under 37 CFR 1.116 Expedited Procedure Examining Group 1753<br>Return Postcard |
|---|---|--|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
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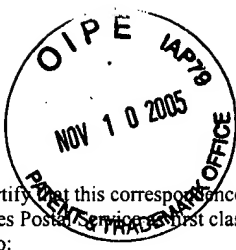
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Patrick M. Boucher		
Date	November 8, 2005	Reg. No.	44,037

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Nina L. McNeill	Date	November 8, 2005



Corres. and Mail  
**BOX AF**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attorney Docket No. 20174C-002510US  
Client Reference Nos. CIT 3368 and  
C125.210.US

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On: *November 8, 2005*

TOWNSEND AND TOWNSEND AND CREW LLP

By: *Alan L. McNeil*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Hou-Pu Chou et al.

Application No.: 09/970,122

Filed: October 2, 2001

For: MICROFLUIDIC DEVICES AND  
METHODS OF USE

Customer No.: 20350

Confirmation No. 2108

Examiner: Arun S. Phasge

Technology Center/Art Unit: 1753

RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1753

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed October 5, 2005 on the above-referenced application, please enter the following.

The Office Action mailed October 5, 2005 maintains only the provisional double-patenting rejection, indicating that the previously filed terminal disclaimer was unacceptable. A new terminal disclaimer is accordingly submitted herewith, together with a Power of Attorney and Statement Under 37 CFR 3.73(b) executed by the assignee and designating the undersigned

Appl. No. 09/970,122  
Amdt. dated November 8, 2005  
Amendment Under 37 CFR 1.116 Expedited Procedure  
Examining Group 1753


PATENT  
Attorney Docket No. 20174C-002510US  
Client Ref. Nos. CIT 3368 and C125.210.US

as an attorney of record. It is accordingly believed that the outstanding provisional rejection is obviated and that the application is in condition for allowance.

It is noted that a Supplemental Information Disclosure Statement was filed on September 23, 2005. Acknowledgement of consideration of the Supplemental Information Disclosure Statement by the Examiner is requested by returning a copy of forms PTO/SB/08A and PTO/SB/08B initialed by the Examiner.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

  
Patrick M. Boucher  
Reg. No. 44,037

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PMB:pmb  
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